

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 7/2/2020
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FRITZ T. JARVOIS,

Plaintiff,

-against-

CAROLE FERRARA and THOMAS  
LIBRETTI,

Defendants.  
-----X

1:18-cv-3997-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

On March 5, 2020, the Court wrote that if Plaintiff did not amend his complaint within three weeks, it would construe his submission at Dkt No. 43 to be his amended complaint. Dkt No. 46. That deadline has passed, and Plaintiff has not filed an amended complaint. So the Court construes Dkt No. 43 as Plaintiff's amended complaint. Plaintiff and Defendants are directed to file letters setting forth their proposals for how to conduct discovery and otherwise litigate this case going forward no later than July 13, 2020. If Defendants intend to move to dismiss Plaintiff's amended complaint, they should so state in their letter to the Court. The Court observes that Plaintiff recently filed a document styled as a "motion for a speedy trial." Dkt No. 47. This case is not yet trial-ready, so the Court will not set a trial date at this time.


The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order and Dkt Nos. 35, 37, 42, and 43

to Plaintiff by first-class and certified mail.

SO ORDERED.

Dated: July 2, 2020

  
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GREGORY H. WOODS  
United States District Judge